

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

HANH NGUYEN,

Plaintiff,

v.

WASHINGTON MUTUAL BANK N.A.;
et al.,

Defendants.

2:11-cv-1799-LRH-RJJ

ORDER

Before the court is pro se plaintiff Hanh Nguyen's ("Nguyen") motion for leave to file an amended complaint. Doc. #18.¹

I. Facts and Procedural History

In September, 2007, Nguyen purchased real property through a mortgage note and deed of trust originated by defendants. Eventually, Nguyen defaulted on the mortgage note and defendants initiated non-judicial foreclosure proceedings.

Subsequently, Nguyen filed a complaint against defendants for wrongful foreclosure. Doc. #1, Exhibit A. Thereafter, Nguyen filed the present motion for leave to file an amended complaint. Doc. #18.

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¹ Refers to the court's docket number.

1 **II. Discussion**

2 A party may amend its pleadings after a responsive pleading has been filed by leave of
3 court. FED. R. CIV. P. 15(a)(2). Leave of court to amend should be freely given when justice so
4 requires and when there is no undue delay, bad faith, or dilatory motive on the part of the moving
5 party. *See Wright v. Incline Village General Imp. Dist.*, 597 F.Supp.2d 1191 (D. Nev. 2009); *DCD*
6 *Programs, LTD v. Leighton*, 883 F.2d 183 (9th Cir. 1987).

7 Here, Nguyen requests leave to amend his complaint to add additional claims and
8 allegations against the named defendants. *See* Doc. #18. A copy of the proposed amended
9 complaint is attached to the motion in accordance with LR 15-1. Doc. #18, Exhibit 1.

10 The court finds that there is no undue delay, bad faith, or dilatory motive on behalf of
11 Nguyen in requesting leave to amend his complaint. Further, the court finds that the matter is early
12 in litigation and that defendants would not be prejudiced by allowing amendment. Accordingly,
13 Nguyen shall be granted leave to amend his complaint.

14
15 IT IS THEREFORE ORDERED that plaintiff's motion to amend (Doc. #18) is GRANTED.
16 Plaintiff Hanh Nguyen shall have ten (10) days from entry of this order to file the amended
17 complaint attached as Exhibit 1 to the motion to amend (Doc. #18).

18 IT IS FURTHER ORDERED that plaintiff's motion for an extension of time (Doc. #16) is
19 GRANTED *nunc pro tunc*.

20 IT IS SO ORDERED.

21 DATED this 28th day of November, 2012.



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LARRY R. HICKS
24 UNITED STATES DISTRICT JUDGE
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